

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

A.P. Port Department – Kakinada Port – Allotment of Port lands on lease basis – Restoration of lease period of Port land at Plot No.9, Kakinada to M/s Paras Exports for the balance period of 13 years – Orders – Issued.

INFRASTRUCTURE & INVESTMENT (P.II) DEPARTMENT

G.O.Ms.No. 18

Dated:31-08-2012.

Read the following:-

1. From M/s Paras Exports representation, dt.11-07-2011 & 01-08-2011
2. Govt. Memo.No.569/P.II/2011-1, I&I Dept., dt.23-07-2011.
3. From the Director of Ports, Lr.No.DoP/D3/2133/2011, dated 03-08-2011
4. Govt. Memo.No.569/P.II/2011-2, I&I Dept., dt.20-10-2011.
5. From the DoP, Lr.No.DoP/D3/2133/2011, dt.31-10-2011.
6. From the DoP, Lr.No.DoP/D3/2133/2011, dt.30-12-2011.
7. Finance (Exp.PW) Dept., U.O.No.3251/134/A2/Exp.PW/12, dated 22-02-2012.

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ORDER:

In the reference third read above, the Director of Ports, Kakinada has reported that, an extent of Ac.1.01 or 4900 Sq.yards of Port land in Plot no.9 at Kakinada was allotted to M/s Paras Exports on long lease basis for a period of 30 years with effect from 06-09-1994 for construction of godowns. As per the terms and conditions of lease agreement, the firm has to pay lease charges every year in advance on or before 1st April of each year. But, due to non-payment of lease charges regularly, the firm became defaulter. After issue of final notice by the Director of Ports on 25-05-2011 and conducting "Panchanama" on 23-06-2011 by the Revenue authorities in the presence of Port Office officials, the land at Plot No.9 consists of Ac.1.01 was resumed with effect from 23-06-2011.

2. Later, the firm approached the Department on 28-06-2011 i.e. after resumption of Plot No.9 and cleared the entire outstanding dues and requested to set aside the termination order and restore their position in the said land. After payment of outstanding dues by the firm, notice was issued to the firm to clear the stock and vacate the godown. Further, the firm approached the Hon'ble High Court of A.P. and filed W.P.No.18713 of 2011 and subsequently the Hon'ble High Court vide their order dt.29-07-2011 dismissed the W.P. as withdrawn.

3. The firm in its representation dt.01-08-2011, has stated that, due to decrease in the trade for the last four years, they have suffered loss and unable to pay the lease rentals in time. Further, they have stated that now their business is in progress and requested to restore their lease agreement for the balance period of 13 years otherwise they will put on great loss.

4. The Director of Ports, Kakinada in his letter fifth read above has requested the Government to take appropriate action on the request of M/s Paras Exports for continuation of the lease in their favour for the balance period of 13 years on the same terms and conditions subject to the condition that the firm will pay the lease before the due date and never default in future.

5. Finance Department has advised that, they have no objection to the proposal if it is advantageous to the state.

6. In the above circumstances, and after careful examination, Government hereby permit the Director of Ports, Kakinada to enter into agreement with M/s PARAS Exports on long lease for the balance period of 13 years duly modifying the agreement which is advantageous to the Government. The lease rent for the open land shall be as per G.O.Ms.No.2, Infrastructure & Investment Dept., dt 09-01-2009 and in respect of godown, the lease rent shall be Rs.35/- per sq. meter per month as prescribed in G.O.Ms.No.48, Infrastructure & Investment Department, dt 19-12-2008. Further, M/s Paras Exports shall be required to pay lease rents for open land/& or godown at the revised rates of lease rents if any effected by Government from time to time. The firm shall pay the lease rent before the due date and never default in future.

(P.t.o)

The Director of Ports, Kakinada is directed to enter into lease agreement afresh with M/s Paras Exports, as and when the firm comes forward accepting the above terms duly incorporating a clause in the Lease Agreement to the effect that on the determination of Lease, the structures shall absolutely vest in the Lessor and the Lessee shall maintain the structures always in good condition without getting damaged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUNIL SHARMA
SECRETARY TO GOVERNMENT

To
The Director of Ports, Kakinada.
M/s Paras Exports, Peddada Village, Pedapudi Mandal, E.G.Dt (through the Director of Ports, Kakinada)
The Principal Accountant General (CA), A.P., Hyderabad.
The Director of Treasuries & Accounts, Hyderabad.
The District Treasury Officer, Kakinada, East Godavari District.

Copy to:

Law Department.
Finance (Exp.PW) Dept
The P.S. to Secretary to Chief Minister
The OSD to Minister (I&I).
S.F./S.Cs

// FORWARDED :: BY ORDER //

SECTION OFFICER